



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 114th CONGRESS, FIRST SESSION

Vol. 161

WASHINGTON, THURSDAY, NOVEMBER 5, 2015

No. 165

Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Spirit of God, who brought light from darkness and order from chaos, we praise Your Holy Name. Lead our law-makers, using their daily experiences of joy and sorrow, pleasure and pain, victory and defeat for Your glory. Bless their labor, providing for their needs and preparing tables of peace and confidence for them. As they rejoice because of Your faithfulness, protect them with the shield of Your love.

Lord, fill all of our hearts with Your joy and give us Your peace. Thank You for continuing to be our ever-present help in turbulent times.

We pray in Your sovereign Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

Mr. McCONNELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. HELLER). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

OBAMACARE

Mr. McCONNELL. Mr. President, I remember a recent time when President Obama tried to spin Americans on ObamaCare. The best he could muster then was a condescending, sort of cringe-inducing message that likely turned off more people than it converted. He even said that Americans who already had health insurance “may not know that they’ve got a better deal now [under ObamaCare] than they did, but they do.”

As I said, it was condescending and cringe-inducing. It was so out of touch with the priorities of America’s middle class.

Well, it looks as though the President is going to try again today with a series of regional TV interviews. He will do so with headlines such as these as a backdrop: CBS, “Affordable Care Act not so affordable”; AP, “More than half of health law’s insurance co-ops are closing.” Here is a headline about the President’s home State: “Some Obamacare marketplace prices see double-digit jump in Illinois.” And here is one about mine: “Health co-op closes, 51,000 need new insurance.” This is on top of the massive premium increases so many Kentuckians have faced.

This isn’t just a Kentucky story or an Illinois story. In every corner of the country, we see story after story about sharply rising premiums. The largest insurers in Tennessee have rates going up 36 percent. A large insurer in Oklahoma is raising premiums by 35 percent. In Hawaii, families are looking at increases of 26 and 34 percent. It is easy to glaze over the numbers, but this is real money coming out of the pockets of real families. This is money that could help send a child to college or put Thanksgiving dinner on the table, but instead it will go to insurance bills made unnecessarily expensive in part because of ObamaCare’s costly rules and regulations.

Perhaps the President will settle today for trying to convince Americans

that ObamaCare’s Web site is at least working better than in years past, but that just means it will be a little easier for middle-class families to pay more for unaffordable health insurance and higher out-of-pocket costs. That is hardly the makings of better headlines or better outcomes for the American people.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

OBAMACARE

Mr. REID. Mr. President, ObamaCare is working, as the New York Times indicated in a strong column this week showing how dramatically the rates of uninsurance have dropped since this bill passed. The initial posting of premiums doesn’t tell the whole story. The law requires the Department of Health and Human Services to post only the proposed increases that exceed 10 percent. Many of those proposed rates have gone through a review process at the State level, and after that review, States will reduce many of those rates. Remember, we are talking only about the States that had an increase of more than 10 percent. Almost all the States had increases that were far less than that.

The health reform law caps 85 percent of exchange enrollees’ premiums as a share of their income, and because of the health law, insurance companies must spend at least 80 cents of every dollar on health services. Prior to this law passing, these health insurance companies spent huge amounts of their money on salaries and other things that didn’t relate to the health of their enrollees, and now 80 percent of every dollar must be spent on the enrollees. This has resulted in rebates totaling \$9 billion paid to consumers since 2011. Eighty cents of every dollar is spent on

● This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

S7775

health services rather than administrative costs and profits.

Addressing insurance premium increases in the individual market was a key reason we enacted the health reform bill in the first place. Before the health reform law, patients were subject to premium increases, cancellations, denials for preexisting conditions, and arbitrary limits on how much care insurance would cover.

Thanks to this health reform law, proposed premium increases are seeing the light of day and are subject to scrutiny, which wasn't the way it was before.

Under the health reform law, insurance companies cannot deny coverage or charge more because of a preexisting condition or for simply being a woman. Insurance companies cannot arbitrarily cut off benefits when you really need them.

TRIBUTE TO WADE HENDERSON

Mr. REID. Mr. President, the true test of leadership is whether one leaves behind the conviction that others will carry on. Yesterday Wade Henderson, one of the fathers of the civil rights movement, announced that he will retire from the position as president and CEO of the Leadership Conference on Civil Rights and the Leadership Conference Education Fund to make room for future leaders.

Wade Henderson has inspired a new generation to hold our country to its most sacred values: liberty and justice for all. Wade has been a true leader. For the past 20 years he has been a tireless advocate for justice and equality. His conviction, skill, and expertise can be found in every major civil rights victory over the past two decades.

Wade has led the Leadership Conference on Civil and Human Rights through the successful passage of the Help America Vote Act of 2002; the Voting Rights Act reauthorization of 2006; the ADA Amendments Act in 2008; Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act in 2009; Lilly Ledbetter Fair Pay Act of 2009; Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010; and the Fair Sentencing Act of 2010.

From the passage of the hate crimes laws in the early 1990s to efforts to end racial profiling and pass comprehensive immigration reform, Wade Henderson has carried the weight and responsibility of the modern civil rights movement on his shoulders.

As Wade transforms and transitions into the next stage of his life, I have no doubt he will continue to be a champion of people of color, women, children, organized labor, persons with disabilities, seniors, the LGBT community, and faith communities.

Today I congratulate Wade Henderson for his years of service to our Nation and the world. I wish him continued success in all of his future endeavors.

Will the Chair announce the business of the day.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2016—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 2685, which the clerk will report.

The legislative clerk read as follows: Motion to proceed to Calendar No. 118, H.R. 2685, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2016, and for other purposes.

The PRESIDING OFFICER. Under the previous order, the time until 11 a.m. will be equally divided in the usual form.

The Senator from Maine.

Ms. COLLINS. Mr. President, I come before the Senate to express my strong support for proceeding to the fiscal year 2016 Defense appropriations bill. This bill provides vital funding for the men and women of our armed services at a time of serious and growing threats to our own national security and at a time of troubling instability and violent conflicts in many countries around the world.

Proceeding would allow the Senate an opportunity to debate defense funding in an open and transparent manner and to meet our constitutional obligations. I am truly perplexed to hear some of my dear friends and colleagues on the other side of the aisle suggest that there is a Republican plan to enact only the Defense appropriations bill and then proceed to a continuing resolution for all of the other vital appropriations bills. It would be an understatement to say that continuing resolutions are certainly not the preferred option of the Appropriations Committee, and I say that as a proud member of that committee. Continuing resolutions create uncertainty, they lock in last year's priorities, and they continue to fund programs that should be eliminated. They are not effective ways to govern.

I want to be clear. Supporting an individual appropriations bill in no way suggests that the Senate is somehow giving up on passing the other 11 subcommittee appropriations bills, whether they are brought to the floor individually or as an omnibus package.

Members of the Appropriations Committee now have working numbers as a result of the budget agreement. We are working together diligently in a bipartisan, bicameral manner to craft a bipartisan omnibus that can be supported by both Chambers.

Democrats and Republicans came together to pass a budget agreement just a few short days ago, and our ongoing negotiations prove our sincerity and determination to move ahead with individual bills and in crafting an omni-

bus. We have already made great progress this year. As our chairman, THAD COCHRAN, has noted previously, this is the first time in 6 years that the Appropriations Committee has approved all 12 of its bills. Many of those bills, due to the leadership on the Democratic side of my dear friend BARBARA MIKULSKI, and others, have been bipartisan when they were reported by our committee. I would note that we completed our work despite terribly strict budget constraints months ago.

Now, we are in a new stage. We have a bipartisan, 2-year budget agreement that has provided some much needed relief to some of the budget caps, while keeping us on a fiscally responsible path.

This is the third time the Senate has attempted to take up this vital appropriations bill. The last time, my Democratic friends objected because there was no bipartisan, bicameral budget agreement. In the absence of such an agreement, they said they could not proceed with a bill. Now, I didn't agree with that rationale, but I understood it. I do not understand the situation we find ourselves in today. We have a budget agreement—a bipartisan, bicameral budget agreement. I do not understand why we cannot move forward with the Defense appropriations bill and, I hope, other bills individually and then ultimately an omnibus bill for those that we simply run out of time to consider this year. Next year, due to this budget agreement, I hope we can bring each and every one of the individual appropriations bills before the Senate for debate and amendment the way we used to do, and that is our goal.

December 11 is quickly approaching, and that is the date when the current continuing resolution expires. We must act before then to ensure that the Federal Government remains open. We must act to ensure that vital Federal programs are funded and not operating under yet another continuing resolution, which is such poor policy. That is what we are trying to prevent.

Let's get the Defense appropriations bill approved. Then, I hope we can bring up at least one or two or perhaps three other appropriations bills. In the meantime, we are already working on the omnibus bill.

As chairman of the Transportation, Housing and Urban Development, and Related Agencies Subcommittee, I have already met with my ranking member, Senator JACK REED of Rhode Island, and with our counterparts on the House side to begin the negotiations on our bill. We are operating under a very tight timeframe that will require Members to work around the clock and a good-faith effort from all sides. That is what I am asking for today: for Members on the other side of the aisle to take the majority leader, the Republican leader, at his word, to pass this bill—this vitally needed bill—and then to go on to a second individual appropriations bill, all the while we are working in a bipartisan way to craft an omnibus bill.